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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/748,352      | 12/30/2003  | Martin Finnerty      | SBL0029US           | 7797             |

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| EXAMINER |
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LEE, CHUN KUAN

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| ART UNIT | PAPER NUMBER |
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2181

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |   |  |  |
|------------------------------|---|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/748,352    | <b>Applicant(s)</b><br>FINNERTY ET AL. |  |
|                              | <b>Examiner</b><br>Chun-Kuan (Mike) Lee | <b>Art Unit</b><br>2181                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Fritz M. Fleming*  
FRITZ FLEMING  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100  
11/3/2006

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/28/2006 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments filed 08/28/2006 have been fully considered but they are not persuasive. Currently, claims 1-39 are pending for examination.

3. In responding to applicant's argument that the amended independent claims 1, 9, 16, 23, 30 and 37 including the claimed limitation "selecting" associated with the "plurality of devices", such as selecting the first device of the plurality of devices to provide the requested service is not taught by the Wakai reference, because Wakai shows only one device coupled to the disclosed mechanism, and Figure 7 of Wakai reference does not remedy this lack of disclosure because each of the illustrated

Art Unit: 2181

network device have their own input/output operation unit, as stated on page 10, last paragraph to page 11, 2<sup>nd</sup> paragraph. Applicant's arguments have fully been considered, but are not found to be persuasive.

Wakai teaches the personal computer (i.e. computer system) (Fig. 7, ref. 706) directly coupled to a plurality of devices such as a printer (Fig. 1, ref. 702), a scanner (Fig. 1, ref. 704) and a multi-function device (Fig. 7, ref. 705) through a network (Fig. 7, ref. 701), and the personal computer creates the document to be printed, then sends the corresponding document across the network to be printed by the printer (Fig. 1, ref. 702). The input/out operation unit (Fig. 7, ref. 703) does not create the document for printing, but rather, provides the various displays for a user, and accepts instructions from the user (col. 15, l. 58 to col. 16, l. 5). As for the selecting of the first device of the plurality of devices to provide the requested service, such "selection" is implemented by an apparatus selection means (col. 3, ll. 3-5).

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Wakai et al. (US Patent 6,587,126).

5. As per claims 1, 9, 16, 23 and 30, Wakai teaches a computer-readable medium system and method comprising:

a processor (CPU 802 of Fig. 8) configured to execute instructions;

a plurality of devices (e.g. printer 702, scanner 704, multi-function device 705 of Fig. 7) directly coupled to the computer system (Fig. 7, ref. 706), wherein each device is configured to perform a corresponding function (e.g. printing function, scanning function) (col. 15, l. 58 to col. 16, l. 5), wherein the plurality of devices are directly coupled to the computer system over the network (Fig. 7, ref. 701); and

a memory (Fig. 8, 805-807), coupled to the processor (Fig. 8, ref. 802), and configured to store the instructions, wherein the instructions comprise:

a module of obtaining instructions (web server 204 of Fig. 2) configured to obtain a request to provide a requested service (e.g. service of printing), wherein the request conforms to a request format defining in a first language (col. 14, ll. 41-47), wherein the request to provide the service of printing is transferred from the web browser (Fig. 2, ref. 202, 203) to the web server (Fig. 2, ref. 204) conforming to the language utilized by the web browser, such as HTML (Fig. 132),

at least one device (printer 702 of Fig. 7) of the plurality of devices (printer 702, scanner 704, multi-function device 705 of Fig. 7) is configured to provide the requested service (e.g. service of printing), wherein the plurality of devices comprising the printer, the scanner and the multifunction device;

a module of selecting instructions (i.e. selecting therefore identifying) configured for selecting (identifying) a first device (e.g. printer) of the plurality of device (i.e. at least

Art Unit: 2181

one device) to provide the requested service (e.g. service of printing) (Fig. 32, ref. S3201) (col. 3, ll. 3-5); and

a module of converting instructions (request manager 207 of Fig. 2) configured for converting the request to a second request in a second language (process command comprising the print command) (col. 14, ll. 47-55), wherein the request manager converts the request to the corresponding process command;

wherein the second request conforms to a request format defined in a second language (i.e. language associated with process command) (col. 14, ll. 47-55);

the first device (the printer comprising server component 103 and printer 206 of Fig. 2 and col. 15, ll. 12-17) is configured to provide the requested service (e.g. service of printing) in response to receiving the second request (process command comprising the print command) (col. 14, ll. 47-55), wherein the service of printing is performed when the printer's command analysis/process unit (Fig. 2, ref. 208) receives the print command.

6. As per claim 2, Wakai teaches the computer-readable medium system and method comprising directing the second request (process command comprising the printing command) to the first device (printer) (col. 14, 47-55), as the second request (process command) is directed to the printer's command analysis/process unit (Fig. 2, ref. 208).

7. As per claim 3, Wakai teaches the computer-readable medium system and method comprising:

the first language is a mark up language (Fig. 10 and col. 14, ll. 41-47), as the request is transferred by the web browser (Fig. 2, ref. 202, 203) over the network to the web server (Fig. 2, ref. 204) utilizing language such as HTML (Fig. 132);

the second language is a device specific language of a plurality device specific languages (Fig. 7 and col. 16, ll. 56-60), wherein process command comprising the print command and the scan command, as the print command would be specific for the printer and the scan command would be specific for the scanner,

wherein each of the plurality of devices communication using one of the plurality of device specific languages (Fig. 7 and col. 16, ll. 56-60).

8. As per claim 4, Wakai teaches the computer-readable medium system and method comprising wherein the request formats comprise:

at least one instruction (instruction to print) (col. 17, ll. 8-14), and  
data (print information) to be used when performing the at least one instruction (col. 17, ll. 8-14).

9. As per claim 5, Wakai teaches the computer-readable medium system and method comprising:

specifying use of a specific feature (printing feature) of the first device (printer 702 of Fig. 7) (Fig. 22 and col. 14, ll. 51-55),

wherein said specifying use of a specific feature comprises specifying a optional variable (variable of "Print") (Fig. 22 and col. 23, ll. 59-63) and

providing a value (value of data file to be printed) for the optional variable (Fig. 132 and col. 45, ll. 19-22), wherein the data file to be printed is provided by specifying the specific data file; therefore, the optional variable and the value specify use the specific feature of the first device; and

said converting the request to the second request comprises:

including the optional variable in the at least one instruction of the second request, and including the value for the optional variable in the data of the second request (Fig. 132 and col. 45, ll. 19-22), wherein the user requests service of printing of the specific data file by selecting the "print" on screen with the specific data file, therefore the second request comprises of the "print" request and the data file to be printed.

10. As per claim 6, Wakai teaches the computer-readable medium system and method comprising sending a response to the request (Fig. 22, ref. S2213), as the HTML page corresponds to the printing is transferred to the client component.

11. As per claim 7, Wakai teaches the computer-readable medium system and method comprising wherein the response conforms to a response format defined in the first language (HTML format) (Fig. 22, ref. S2213).



12. As per claim 8, Wakai teaches the computer-readable medium system and method comprising wherein the response formats comprises:

at least one instruction (Fig. 22, ref. S2213), wherein the instruction comprising the instruction to display the corresponding HTML page; and

data to be used when performing the at least one instruction (Fig. 23, ref. S2312, S2313 and col. 24, ref. 45-49), wherein the data to be used comprising "Printing successful" and "Printing failure".

13. Claims 10-15, 17-22, 24-29 and 31-36 repeat the limitations of claims 2 and 4-8 and are therefore rejected accordingly.

14. As per claim 37, Wakai teaches an application programming interface system and method comprising:

a request definition for a first command to provide a request for a requested service (service of printing) (col. 14, ll. 41-47), wherein the first command is the request transferred from the web browser (Fig. 2, ref. 202, 203) to the web server (Fig. 2, ref. 204), wherein

the request conforms to a request format defined in the first language (col. 14, ll. 41-47), wherein the first language is the language utilized between the web browser (Fig. 2, ref. 202, 203) and the web server (Fig. 2, ref. 204), such as HTML, as prior to the transfer of the request by the web browser, the web browser implement the required conversion, such as the user selecting a (printing) button on the screen and the web

Art Unit: 2181

browser implement the conversion of the operation instruction to the request "selection of a specific button" (printing button),

the request format is specified in the request definition (col. 14, ll. 41-47), wherein the web browser is required to comprise the request definition specifying the definition of the first language associated to the request format as it is the web browser that implement the required conversion to the request in the first language to be transferred to the web server,

a plurality of devices (e.g. printer 702, scanner 704, multi-function device 705 of Fig. 7) are each configured to provide a corresponding service (e.g. printing function, scanning function) (col. 15, l. 58 to col. 16, l. 5),

one device (printer 702 of Fig. 7) of the plurality of devices is selected to provide the requested service in response to the first command (Fig. 32, ref. S3201) (col. 3, ll. 3-5; col. 15, ll. 12-17 and col. 15, l. 58 to col. 16, l. 5), wherein in order to open the specific printer associated with the printing request, the specific printer must be identified, and upon receiving the first command by the printer, printing is performed after proper conversion of the first command to the process (print) command by the request manager (Fig. 2, ref. 207) (col. 14, ll. 47-55),

the request is converted to a second request (process command comprising the print command) (col. 14, ll. 47-55), wherein the conversion is implemented by the request manager (Fig. 2, ref. 207);

the second request conforms to a request format defined in a second language (language associated with the process command) (col. 14, ll. 47-51), and

the one device (Fig. 7, ref. 702) is configured to provide the requested service (service of printing) in response to receiving the second request (process command comprising the print command) (col. 14, ll. 47-55), wherein the print command is received by the printer's command analysis/process unit (Fig. 2, ref. 208).

15. As per claim 38, Wakai teaches the application programming interface system and method comprising a response definition for a response format in which a response to the request is provided (Fig. 22, ref. S2213), wherein the response format is defined as the HTML format, responding to the service of printing.

16. As per claim 39, Wakai teaches the application programming interface system and method comprising an initialization (initialize by conversion) definition for a second command (process command) to initialize prior to providing the request for the requested service (col. 14, ll. 47-55), as conversion of the request received by the web server (Fig. 2, ref. 204) to the process command is defined by the request manager (Fig. 2, ref. 207) and upon proper conversion of the request to the process command, request for the service of printing is performed.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz M. Fleming can be reached on (571) 272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.K.L.  
11/03/2006

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